



Rep. Sara Feigenholtz

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LRB098 18254 RPS 57527 a

1 AMENDMENT TO HOUSE BILL 4609

2 AMENDMENT NO. _____. Amend House Bill 4609 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Task
5 Force on Fire Prevention and Fire Safety Education Act.

6 Section 5. Findings. The General Assembly finds that the
7 desire to maintain and enhance fire prevention and safety
8 standards is a primary concern to the General Assembly.

9 Section 10. The Task Force on Fire Prevention and Fire
10 Safety Education.

11 (a) There is created the Task Force on Fire Prevention and
12 Fire Safety Education housed within the Office of the Governor
13 consisting of the following members:

14 (1) one member of the Senate appointed by the President
15 of the Senate, who shall serve as a co-chairperson of the

1 Task Force;

2 (2) one member of the Senate appointed by the Minority
3 Leader of the Senate;

4 (3) one member of the House of Representatives
5 appointed by the Speaker of the House of Representatives,
6 who shall serve as a co-chairperson of the Task Force;

7 (4) one member of the House of Representatives
8 appointed by the Minority Leader of the House of
9 Representatives;

10 (5) two members of the general public appointed by the
11 Governor;

12 (6) one member appointed by the Illinois State Fire
13 Marshal;

14 (7) one member appointed by the Governor, nominated by
15 a statewide association representing fire chiefs;

16 (8) one member appointed by the Governor, nominated by
17 a statewide association representing firefighters;

18 (9) one member appointed by the Governor, nominated by
19 a northern Illinois advisory board focused on fire
20 sprinkler education;

21 (10) one member appointed by the Governor, nominated by
22 the Joint Labor and Management Committee (JLMC) created
23 under the Fire Department Promotion Act;

24 (11) one member appointed by the Mayor of the City of
25 Chicago;

26 (12) one member appointed by the Governor, nominated by

1 a statewide organization representing municipalities;

2 (13) one member appointed by the Governor, nominated by
3 a statewide association representing realtors;

4 (14) one member appointed by the Governor, nominated by
5 a statewide association representing home construction
6 contractors;

7 (15) one member appointed by the Governor, nominated by
8 a statewide association representing the pipe trades;

9 (16) one member appointed by the Governor, nominated by
10 a single statewide organization representing condominium,
11 townhouse, and homeowner associations;

12 (17) one member appointed by the Governor, nominated by
13 a Chicago-based organization of building owners and
14 managers;

15 (18) one member appointed by the Governor, nominated by
16 an association representing apartment building owners and
17 managers in the Chicago area;

18 (19) one member appointed by the Governor, nominated by
19 a statewide association representing the insurance trade;
20 and

21 (20) one member appointed by the Executive Director of
22 the Illinois Finance Authority.

23 (b) All appointments to the Task Force shall be made within
24 60 days after the effective date of this Act.

25 (c) Vacancies in the Task Force shall be filled by their
26 respective appointing authorities within 30 days after the

1 vacancy occurs.

2 (d) The members shall serve without compensation.

3 (e) The Task Force shall receive the assistance of the
4 Office of the Governor, may employ skilled experts with the
5 approval of the co-chairpersons and subject to appropriation,
6 and shall receive the cooperation of any State agencies it
7 deems appropriate to assist the Task Force in carrying out its
8 duties.

9 (f) The members of the Task Force shall be considered
10 members with voting rights. A quorum of the Task Force shall
11 consist of a simple majority of the members of the Task Force.

12 (g) The Task Force shall meet initially at the call of the
13 co-chairpersons, no later than 90 days after the effective date
14 of this Act, and shall thereafter meet at the call of the
15 co-chairpersons.

16 (h) The Office of the State Fire Marshal shall provide
17 administrative and other support to the Task Force.

18 Section 15. Duties of the Task Force.

19 (a) The Task Force shall research, analyze, and consider:

20 (1) the benefits of legislation requiring fire
21 sprinkler systems in homes, places of employment, and
22 high-rise buildings;

23 (2) the costs and benefits of fire sprinkler systems,
24 hard-wired smoke detectors, and public education about
25 fire drills and other prevention education measures;

1 (3) actions of other states pertaining to fire
2 sprinklers;

3 (4) actions of units of local government pertaining to
4 fire sprinkler mandates and other options or alternatives
5 to mandates;

6 (5) insurance benefits and discounts for structures
7 with fire sprinkler systems;

8 (6) code conflicts and interpretations between State
9 agencies and units of local government;

10 (7) collaboration by governmental bodies to explore
11 assistance options available to property owners and
12 renters wishing to install fire sprinkler systems; and

13 (8) legislative recommendations to the General
14 Assembly.

15 (b) On or before July 15, 2015, the Task Force shall
16 summarize its findings and recommendations in a report to the
17 General Assembly.

18 Section 20. Repealer. This Act is repealed on July 15,
19 2016.

20 Section 900. The Fire Sprinkler Contractor Licensing Act is
21 amended by adding Section 125 as follows:

22 (225 ILCS 317/125 new)

23 Sec. 125. Fire sprinkler systems. Except as provided in

1 this Act, the Office of the State Fire Marshal may not adopt
2 rules imposing new statewide mandates or changes to existing or
3 future statewide mandates requiring the installation of fire
4 sprinkler systems in specific types of buildings or other
5 structures after the effective date of this amendatory Act of
6 the 98th General Assembly. However, nothing in this Section
7 shall prohibit the Office of the State Fire Marshal from
8 imposing new statewide mandates or changes to existing or
9 future statewide mandates requiring the installation of fire
10 sprinkler systems in specific types of buildings or other
11 structures by means of a bill passed by the General Assembly.
12 This Section shall not be construed to otherwise limit the
13 authority of the Office of the State Fire Marshal under this
14 Act. This Section shall not be construed to limit the authority
15 of municipalities, counties, or other units of local government
16 to regulate fire sprinkler systems, including, but not limited
17 to, the authority granted under the Counties Code, the Illinois
18 Municipal Code, or the Township Code.

19 Section 905. The Fire Investigation Act is amended by
20 changing Section 9 as follows:

21 (425 ILCS 25/9) (from Ch. 127 1/2, par. 9)

22 Sec. 9. No person, being the owner, occupant or lessee of
23 any building or other structure which is so occupied or so
24 situated as to endanger persons or property, shall permit such

1 building or structure by reason of faulty construction, age,
2 lack of proper repair, or any other cause to become especially
3 liable to fire, or to become liable to cause injury or damage
4 by collapsing or otherwise. No person, being the owner,
5 occupant or lessee of any building, or structure, shall keep or
6 maintain or allow to be kept or maintained on such premises,
7 combustible or explosive material or inflammable conditions,
8 which endanger the safety of said buildings or premises.

9 The Office of the State Fire Marshal shall adopt and
10 promulgate such reasonable rules as may be necessary to protect
11 the public from the dangers specified in the preceding
12 paragraph. Except as otherwise provided in this Section, such
13 ~~Such~~ rules shall require the installation, inspection or
14 maintenance of necessary fire extinguishers, fire suppression
15 systems, chemical fire suppression systems and fire alarm and
16 protection devices. A copy of any rule, certified by the State
17 Fire Marshal shall be received in evidence in all courts of
18 this State with the same effect as the original.

19 Except as provided in this Act, the Office of the State
20 Fire Marshal may not adopt rules imposing new statewide
21 mandates or changes to existing or future statewide mandates
22 requiring the installation of fire sprinkler systems in
23 specific types of buildings or other structures after the
24 effective date of this amendatory Act of the 98th General
25 Assembly. However, nothing in this paragraph shall prohibit the
26 Office of the State Fire Marshal from imposing new statewide

1 mandates or changes to existing or future statewide mandates
2 requiring the installation of fire sprinkler systems in
3 specific types of buildings or other structures by means of a
4 bill passed by the General Assembly. This paragraph shall not
5 be construed to otherwise limit the authority of the Office of
6 the State Fire Marshal under the Fire Sprinkler Contractor
7 Licensing Act. This paragraph shall not be construed to limit
8 the authority of municipalities, counties, or other units of
9 local government to regulate fire sprinkler systems,
10 including, but not limited to, the authority granted under the
11 Counties Code, the Illinois Municipal Code, or the Township
12 Code. For purposes of this paragraph, "fire sprinkler system"
13 has the meaning provided in Section 10 of the Fire Sprinkler
14 Contractor Licensing Act.

15 All local officers charged with the duty of investigating
16 fires shall enforce such rules, under the direction of the
17 Office of the State Fire Marshal, except in those localities
18 which have adopted fire prevention and safety standards equal
19 to or higher than such rules adopted by the Office of the State
20 Fire Marshal.

21 The Office of the State Fire Marshal, and the officers of
22 cities, villages, towns and fire protection districts by this
23 Act, charged with the duty of investigating fire, shall, under
24 the direction of the Office of the State Fire Marshal, inspect
25 and examine at reasonable hours, any premises, and the
26 buildings and other structures thereon, and if, such dangerous

1 condition or fire hazard is found to exist contrary to the
2 rules herein referred to, or if a dangerous condition or fire
3 hazard is found to exist as specified in the first paragraph of
4 this Section, and the rules herein referred to are not
5 applicable to such dangerous condition or fire hazard, shall
6 order the dangerous condition removed or remedied, and shall so
7 notify the owner, occupant or other person interested in the
8 premises. Service of the notice upon the owner, occupant or
9 other interested person shall be in person or by registered or
10 certified mail.

11 The amendatory Act of 1975 is not a limit on any home rule
12 unit.

13 (Source: P.A. 85-1434.)

14 Section 999. Effective date. This Act takes effect upon
15 becoming law."